

1 H.639

2 An act relating to genetic data privacy

3 The Senate proposes to the House to amend the bill as follows:

4 First: In Sec. 1, 9 V.S.A. chapter 61A, in section 2421b, in subsection (d),
5 by striking out subdivisions (2) and (3) in their entireties and inserting in lieu
6 thereof a new subdivision (2) to read as follows:

7 (2) Genetic data and biological samples of consumers shall:

8 (A) not be stored within the territorial boundaries of any country
9 currently sanctioned in any way by the U.S. Office of Foreign Assets Control
10 or designated as a foreign adversary under 15 C.F.R. § 7.4(a); and

11 (B) only be transferred or stored outside the United States with the
12 express consent of the consumer.

13 Second: In Sec. 1, 9 V.S.A. chapter 61A, in section 2421c, by adding a new
14 subsection to be subsection (c) to read as follows:

15 (c)(1) A consumer pursuing a civil action pursuant to subsection 2461(b) of
16 this title against a direct-to-consumer genetic testing company or service
17 provider for an alleged violation of this subchapter shall, before initiating the
18 civil action, send a written notice to the company or service provider that
19 includes as many details as possible of the alleged violation.

20 (2) If the company or service provider does not cure the alleged
21 violation within 60 days after the notice is received by the company or service

- 1 provider or if there is a disagreement as to whether the alleged violation has
- 2 been cured, the consumer shall have the right to initiate a civil action against
- 3 the company or service provider pursuant to subsection 2461(b) of this title.